

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

HORACE HILL, JR.,

Plaintiff,

v.

ERIKA NOORT, et al.,

Defendants.

CASE NO. 3:23-CV-5923-TMC-DWC

ORDER DIRECTING PLAINTIFF TO  
FILE AMENDED COMPLAINT

The District Court has referred this action filed under 42 U.S.C. § 1983 to United States Magistrate Judge David W. Christel. Plaintiff Horace Hill Jr., proceeding *pro se* and *in forma pauperis*, initiated this civil rights action on October 12, 2023. *See* Dkt. 1. On November 3, 2023, the Court notified Plaintiff of the deficiencies of his Complaint and directed Plaintiff to file an amended complaint on or before December 6, 2023, if he wished to proceed with this action. Dkt. 6. The Court warned Plaintiff that if he failed to file an amended complaint or adequately respond to the issues raised in the Court's Order Declining to Serve, the undersigned would recommend dismissal of this action. *Id.*

1 Plaintiff did not file a timely response to the Court's Order Declining to Serve. Rather, on  
2 January 29, 2024, nearly two months after an amended complaint was due, Plaintiff filed a letter.  
3 *See* Dkt. 8. While the letter appears to attempt to assert claims, Plaintiff has not filed an amended  
4 complaint on the form provided by the Court and he has not cured the deficiencies identified in  
5 the Order Declining to Serve. However, because Plaintiff filed a response to the Court's Order  
6 Declining to Serve, the Court will afford Plaintiff one additional opportunity to file an amended  
7 complaint that cures the deficiencies of his Complaint.

8 Accordingly, if Plaintiff intends to pursue a § 1983 civil rights action in this Court, he  
9 must file an amended complaint and within the amended complaint, he must write a short, plain  
10 statement telling the Court: (1) the constitutional right Plaintiff believes was violated; (2) the  
11 name of the person who violated the right; (3) exactly what the individual did or failed to do; (4)  
12 how the action or inaction of the individual is connected to the violation of Plaintiff's  
13 constitutional rights; and (5) what specific injury Plaintiff suffered because of the individual's  
14 conduct. *See Rizzo v. Goode*, 423 U.S. 362, 371–72, 377 (1976).

15 Plaintiff shall present the amended complaint on the form provided by the Court and it  
16 may not incorporate any part of the original complaint by reference. The amended complaint will  
17 act as a complete substitute for the original complaint, and not as a supplement. The Court will  
18 screen the amended complaint to determine whether it contains factual allegations linking each  
19 Defendant to the alleged violations of Plaintiff's rights. The Court will not authorize service of  
20 the amended complaint on any Defendant who is not specifically linked to a violation of  
21 Plaintiff's rights.

1 If Plaintiff fails to file an amended complaint or fails to adequately respond to the issues  
2 raised herein on or before March 1, 2024, the undersigned will recommend dismissal of this  
3 action.

4 The Clerk is directed to send Plaintiff a copy of this Order and the appropriate forms for  
5 filing a 42 U.S.C. § 1983 civil rights complaint and for service

6 Dated this 6th day of February, 2024.

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9 David W. Christel  
Chief United States Magistrate Judge